

Exhibit B



Mailed
11-29-89

State of North Carolina
Department of Natural Resources and Community Development
Winston-Salem Regional Office

James G. Martin, Governor

William W. Cobey, Jr., Secretary

DIVISION OF ENVIRONMENTAL MANAGEMENT
GROUNDWATER SECTION

November 28, 1989

L.W. Pritchett, Jr., Inc.
1549 West Webb Avenue
Burlington, N.C. 27217

SUBJECT: Notification of Federal Release Response
Requirements for Owners and Operators of
Underground Storage Tank Systems Containing
Petroleum or Hazardous Substances, Faircloth
Grocery, Route 6, Box 55-J, Burlington, N.C.

Dear Mr. Pritchett:

The North Carolina Department of Environment, Health, and Natural Resources (DEHNR), Division of Environmental Management (Division) is the implementing agency of the Federal Underground Storage Tank Program for the State of North Carolina under the authority of 42 U.S.C. 6991, et seq. The applicable federal rules are found at Part 280 of Title 40 of the Code of Federal Regulations (CFR).

On September 22, 1989, this office received confirmation of a release from an underground storage tank (UST) system at Faircloth Grocery, Route 6, Box 55-J, Burlington, N.C. This confirmation was in the form of soil analysis for total petroleum hydrocarbons.

Our records show that you are the owner of the subject UST system. Owners and operators of petroleum or hazardous substance underground storage tank systems, in response to a confirmed release, must comply with the attached federal regulations. The following will give you some explanation of the requirements.

1. 40 CFR 280.61, Initial Response. You have already complied with paragraph (a); however, you must take the required actions in paragraphs (b) and (c).



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1. 40 CFR 280.61, Initial Response. You have already complied with paragraph (a); however, you must take the required actions in paragraphs (b) and (c).

2. 40 CFR 280.62 Initial Abatement Measure and Site Check. The Division is requiring you to take all six measures set out in 40 CFR 280.62(a). The report required in 40 CFR 280.62 is due on December 18, 1989.

3. 40 CFR 280.63, Initial Site Characterization. The Division is requiring you to submit a report including all the information described in 40 CFR 280.63(a) as well as the following: groundwater sample analysis from monitor well constructed in area of leaking underground storage tank. The groundwater sample should be analyzed as described in the enclosed outline for Class II petroleum fuels. The report is due on January 12, 1990.

4. 40 CFR 280.64, Free Product Removal. If you detect the presence of free product, you must comply with this regulation. You must remove free product to the maximum extent practicable as determined by the Division. If free product is present, the Division will require you to submit a report in accordance with 40 CFR 280.64(d) which is due on January 12, 1990.

5. 40 CFR 280.65, Investigation for Soil and Groundwater Cleanup. The Division requests under 40 CFR 280.65(a)(4), that an investigation for soil and groundwater cleanup is necessary. This investigation should determine the full vertical and horizontal extent of contamination and should be submitted in a technical and field data report by March 28, 1990.

If you fail to comply with any of the above requirements, this matter may be referred to the U.S. Environmental Protection Agency who may assess civil penalties of up to \$10,000.00 for each tank for each day of violation under authority of 42 U.S.C. 6991e(d).

You should also be advised that at any point after reviewing the information submitted in compliance with 40 -- CFR 280.61 through 40 CFR 280.65 the Division may require you to submit additional information or to develop a corrective action plan for responding to contaminated soils and groundwater, under the authority of 40 CFR 280.66. You will be notified of the decision in a separate letter.

If you have any questions, please contact me at the letterhead address or telephone number.

Sincerely,
Stephen Williams
Stephen Williams
Hydrogeologist I

SW/al
Enclosure
cc: Incident Management Unit
WSRO ✓

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